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Attorneys for Defendant LEHIGH SOUTHWEST CEMENT  
COMPANY

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

**ROSS ISLAND SAND & GRAVEL CO., an**  
**Oregon corporation,**

Plaintiff,

vs.

**LEHIGH SOUTHWEST CEMENT**  
**COMPANY, a California corporation,**

Defendant.

No.3:15-cv-01369-PK

**ORDER GRANTING STIPULATED**  
**MOTION FOR ORDER DISMISSING**  
**CLAIMS**

In accordance with the Stipulated Motion for Order Dismissing Claims, and the agreement of the parties thereto, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that all claims set forth in Plaintiff's Third Amended Complaint [ECF 31], other than Plaintiff's "Sixth Claim for Relief" for "Attorney Fees," shall be dismissed with prejudice and without attorney fees or costs to

any party.

DATED this 10<sup>th</sup> day of March, 2017.



The Honorable Paul Papak  
United States Magistrate Judge

Presented by:

SCHWABE, WILLIAMSON & WYATT, P.C.

By: s/ Craig G. Russillo

Craig G. Russillo, OSB #973875

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*Of Attorneys for Defendant Lehigh Southwest Cement Company*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 9<sup>th</sup> day of March, 2017, I caused to be served the foregoing  
**ORDER GRANTING STIPULATED MOTION FOR ORDER DISMISSING CLAIMS** on  
the following party at the following address:

J. Matthew Donohue  
E-Mail: [MattDonohue@MarkowitzHerbold.com](mailto:MattDonohue@MarkowitzHerbold.com)  
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*Of Attorneys for Plaintiff*

by:

<input type="checkbox"/>	U.S. Postal Service, ordinary first class mail
<input type="checkbox"/>	U.S. Postal Service, certified or registered mail,
<input type="checkbox"/>	return receipt requested
<input type="checkbox"/>	hand delivery
<input type="checkbox"/>	facsimile
<input checked="" type="checkbox"/>	CM/ECF electronic service
<input type="checkbox"/>	other (specify) _____

s/ Craig G. Russillo  
Craig G. Russillo, OSB #973875